

DECLARATION FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. SUNMP003/P5963

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND APPARATUS FOR PERFORMING ONLINE APPLICATION UPGRADES IN A JAVA PLATFORM, the specification of which,

- (check one) 1. ☒ is attached hereto.
2. _____ was filed on _____ as
U.S. Application Serial No. _____
and was amended on _____.
3. _____ was filed on _____ as
International PCT Application Serial No. _____
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR §1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Benefits Claimed?

| | | | |
|-------------|-----------|------------------------------|--------------|
| _____ | _____ | _____ | __ Yes __ No |
| (Appl. No.) | (Country) | (Date Filed- Day/Month/Year) | |
| _____ | _____ | _____ | __ Yes __ No |
| (Appl. No.) | (Country) | (Date Filed- Day/Month/Year) | |
| _____ | _____ | _____ | __ Yes __ No |
| (Appl. No.) | (Country) | (Date Filed- Day/Month/Year) | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this applications is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s)

| | | |
|--------------------------|---------------|---|
| _____ | _____ | _____ |
| (Application Serial No.) | (Filing Date) | (Status - patented, pending, abandoned) |
| _____ | _____ | _____ |
| (Application Serial No.) | (Filing Date) | (Status - patented, pending, abandoned) |

Send Correspondence To:

Joe A. Brock
MARTINE PENILLA & KIM, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, CA 94085

Direct Telephone Calls To:

Joe A. Brock II at telephone number (408) 749-6900, ext. 6920

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Typewritten Full Name of

Sole or First Inventor: Vladimir Matena

Citizenship: US

Inventor's signature: *Vladimir Matena*

Date of Signature: 4/5/2001

Residence: (City) Redwood City

(State/Country) CA

Post Office Address: 1322 Kentfield Ave., Redwood City, CA 94061

Full Name of Second Joint

Inventor (if any): Rahul Sharma

Citizenship: India

Inventor's signature: *Rahul Sharma*

Date of Signature: 4/5/2001

Residence: (City) San Jose

(State/Country) CA

Post Office Address: 3267 Montelena Drive, San Jose, CA 95135

Full Name of Third Joint

Inventor (if any): Masood Mortazavi

Citizenship: US

Inventor's signature: *Masood Mortazavi*

Date of Signature: 4/5/2001

Residence: (City) Cupertino

(State/Country) CA

Post Office Address: 1047 November Drive, Cupertino, CA 95014

Full Name of Fourth Joint

Inventor (if any): Sanjeev Krishnan

Citizenship: India

Inventor's signature: *S. Krishnan*

Date of Signature: 4/5/2001

Residence: (City) Cupertino

(State/Country) CA

Post Office Address: 19932 Portal Plaza, Cupertino, CA 95014

POWER OF ATTORNEY BY ASSIGNMENT

and Exclusion of Inventor under 37 C.F.R. 1.32

To the Commissioner for Patents.

The undersigned assignee of the entire interest in application for letters patent entitled:

**METHOD AND APPARATUS FOR PERFORMING ONLINE APPLICATION UPGRADES IN A
JAVA PLATFORM,**

and having the following-named inventors:

Vladimir Matena
Rahul Sharma
Masood Mortazavi
Sanjeev Krishnan

filed herewith, hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. 1.32:

Peter B. Martine (Reg. No. 32,043)
Albert S. Penilla (Reg. No. 39,487)
Raymis H. Kim (Reg. No. 39,462)
Chester E. Martine, Jr. (Reg. No. 19,711)

Edmund H. Mizumoto (Reg. No. 46,938)
Joe A. Brock, II (Reg. No. 46,021)
Rick von Wohld (Reg. No. 48,018)
Michael L. Gencarella (Reg. No. 44,703)

provided that if any one of said attorneys ceases being affiliated with the law firm of MARTINE PENILLA & KIM, LLP as partner or employee, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated, and:

Kenneth Olsen (Reg. No. 26,493)
Timothy J. Crean (Reg. No. 37,116)
Joseph T. Fitzgerald (Reg. No. 33,881)
Alexander E. Silverman (Reg. No. 37,940)
Anirma R. Gupta (Reg. No. 38,275)
Sean P. Lewis (Reg. No. 42,798)
Michael J. Schallop (Reg. No. 44,319)
Bernice B. Chan (Reg. No. 42,403)
Noreen A. Krall (Reg. No. 39,734)
Richard J. Lutton (Reg. No. 39,756)

Monica D. Ward (Reg. No. 40,696)
Marc D. Poodman (Reg. No. 34,110)
Naren Chaganti (Reg. No. 44,602)
Elaine Lee (Reg. No. 41,936)
Hugh M. Matsubayashi (Reg. No. 43,779)
Paul D. Sorkin (Reg. No. 39,039)
Marilyn E. Glaubenslee (Reg. No. 35,521)
Ramin Aghevli (Reg. No. 43,462)
Andrew C. Chen (Reg. No. 43,544)
Jeffrey L. Myers (Reg. No. 44,252)

of Sun Microsystems, Inc., 901 San Antonio Road, Palo Alto, CA 94303.

Address all correspondence to:

Joe A. Brock, II
MARTINE PENILLA & KIM, LLP
710 Lakeway Drive, Suite 170
Sunnyvale, CA 94085
Customer Number 25,920

Direct all telephone calls to:

Joe A. Brock, II at (408) 749-6900, ext. 6920.

Sun Microsystems, Inc.

Date: April 6, 2001



Kenneth Olsen
Vice President, Intellectual Property